

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5835 OF 2007

Mr.Sandeep Gupte & Ors...			Petitioners
V/s			
State of Maharashtra & Ors.....			Respondents

Mr.Vishal C. Ghosalkar, Adv. For the petitioners.

Ms.V.S.Mhaispurkar, AGP for respondent Nos. 1 to 3.

Mr.V.K.Pradhan, Adv. For respondent Nos.5 to 7.

CORAM: A.P.DESHPANDE, J.

22/8/07

PC:

An order of supersession passed under section 78 of the Maharashtra Cooperative Societies Act has been challenged by the petitioners by filing an appeal before the Divisional Joint Registrar. As the Divisional Joint Registrar had proceeded on leave he had adjourned the hearing of the said application to 22.8.07. The Chairman of the Board of Administrators by letter dated 3.8.07 had directed the petitioners to hand over charge within one week. On one hand the Chairman of the Board of Administrators was insisting for handing over the charge and the other hand the Divisional Joint Registrar had made notices returnable on 22.8.07. In this factual position present petition came to be filed by making limited request to stay the impugned order of

supersession till the stay application is taken up by Divisional Joint Registrar for consideration. Learned counsel for the petitioners submits that the Divisional Joint Registrar is now available and the case is fixed before him today. If this be the position, there is no reason to entertain the present writ petition. Writ petition as such stands summarily dismissed. However ad-interim order dated 10.8.07 shall continue for a period of 15 days so as to enable the petitioners to move the Divisional Joint Registrar for passing appropriate orders on the said application.

22.8.07